

**RESOLUTION AUTHORIZING THE EXECUTION OF A STORMWATER  
DRAINAGE EASEMENT AGREEMENT BETWEEN THE BOROUGH AND  
SHARK RIVER ROAD OWNER LLC**

**WHEREAS**, the Planning Board approved a development project on property designated as Block 136, Lot 7.01, now known as 49 Shark River Road, which required the owner of the property, Shark River Road Owner LLC, to dedicate a drainage easement to the Borough; and

**WHEREAS**, the owner has prepared a Stormwater Drainage Easement Agreement (“Easement Agreement”) that allows the Borough to access and repair the stormwater drainage easement on the property in the event of an emergency; and

**WHEREAS**, the Easement Agreement further provides that, if the Borough is required to make repairs to the stormwater drainage system on the property due to an emergency, then the costs of such repairs shall be the responsibility of the property owner; and

**WHEREAS**, the Borough’s Director of Law and Borough Engineer have reviewed the proposed Easement Agreement and have determined it to be in proper form and recommend its adoption to the Borough; and

**WHEREAS**, the Borough Council desires to act upon the recommendations of the Director of Law and Borough Engineer.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Tinton Falls that the Mayor is authorized to execute the Stormwater Drainage Easement Agreement between the Borough of Tinton Falls and Shark River Road Owner LLC for property designated as Block 136, Lot 7.01 and known as 49 Shark River Road.

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Risa Clay, Council President

**BOROUGH OF TINTON FALLS COUNCIL**

<b>Council Member</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Ms. Buckley						
Dr. Dobrin						
Mr. Manginelli						
Mr. Nesci						
Mrs. Clay						

**CERTIFICATION**

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held July 9, 2024.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 9<sup>th</sup> day of July 2024

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Michelle Hutchinson  
Borough Clerk